

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Bernard QUERLEUX et al.

Serial No.: 10/759,215

Filed: January 10, 2005

For: SKIN ANALYSIS APPARATUS
INCLUDING AN ULTRASOUND
PROBE

Atty. Docket No.: 006459.00001

Group Art Unit: 3737

Examiner: Jonathan Cwern

MISCELLANEOUS PAPER RE PATENT TERM ADJUSTMENT

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to MPEP § 2733, Applicants wishes to call the following to the attention of the Office. The "Determination of Patent Term Adjustment under 35 U.S.C. 154(b)" mailed with the notice of allowance on October 20, 2010, indicates a patent term adjustment (PTA) of 936 days. Applicants understand this PTA to only be the PTA under 37 CFR 1.702(a), and further understand that PTA under 37 CFR 1.702(b) (if any) will be reflected in the final PTA noted on the issued patent. Because of possible uncertainty in the applicable Office rules, Applicants note that they might be entitled to less than 936 days of 37 CFR 1.702(a) PTA. In particular, Applicants note the 211 days of PTA that (according to the PTA calculation in the Office's PAIR system) are indicated in connection with the November 25, 2008, mailing of a non-final office action. Applicants further call the attention of the Office to the submission of an information disclosure statement on June 25, 2008.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Dated: 28 January 2011

By: /H. Wayne Porter/

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